

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ross Allen Tatum

Docket No. 5:18-CR-139-1BO

Petition for Action on Supervised Release

COMES NOW Mindy L. Threlkeld, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ross Allen Tatum, who, upon an earlier plea of guilty to 18 U.S.C. §922(g)(1), Possession of a Firearm by a Convicted Felon, was sentenced by the Honorable Catherine C. Eagles, U.S. District Judge for the Middle District of North Carolina, on September 6, 2012, to the custody of the Bureau of Prisons for a term of 18 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Ross Allen Tatum was released from custody on April 13, 2017, at which time the term of supervised release commenced.

On May 5, 2017, the defendant transferred to the Eastern District of North Carolina.

On April 26, 2017, the conditions of release were modified to include a psychosexual evaluation.

On June 26, 2017, the conditions of release were modified to include sex offense specific treatment as well as polygraph testing.

On April 23, 2018, jurisdiction was transferred to the Eastern District of North Carolina.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On November 5, 2018, the defendant participated in a polygraph examination and was found to be deceptive. When questioned, the defendant admitted to viewing pornographic material on YouTube. The material consisted of adult female genitalia which the defendant admits was inappropriate. In an effort to monitor compliance, it is requested that computer monitoring conditions be added to allow the defendant the ability to still use the internet.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. To ensure compliance with supervision, the defendant shall submit to unannounced searches of any computer or computer equipment (including mobile phones, tablets, and data storage devices) which may include the use of computer monitoring technology, computer search or analysis software, and copying of all data from the device and external peripherals. Such examination may require the removal of devices from the defendant's possession for the purpose of conducting a thorough inspection.
2. At the direction of the U.S. Probation Officer, the defendant shall consent to the installation of systems or software that will allow the probation officer or designee to monitor computer use on any computer that the defendant owns or is authorized to use. The defendant shall pay the costs of this monitoring.

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3. The defendant shall not use, possess, or control any computer-based counter forensic tools. The defendant shall not use or have installed any programs specifically and solely designed to encrypt data, files, folders, or volumes of any media. The defendant shall, upon request, immediately provide the U.S. Probation Officer with any and all passwords required to access data compressed or encrypted for storage by any software.
4. The defendant shall not have any social networking accounts without the approval of the U.S. Probation Officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
Senior U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2539
Executed On: November 06, 2018

ORDER OF THE COURT

Considered and ordered this 6 day of November, 2018, and ordered filed and made a part of the records in the above case.

Terence Boyle
Terence W. Boyle
Chief U.S. District Judge